

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA

) CR No. 3:12-513-JFA

V.

ORDER

FRANK HENDERSON, III

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The defendant in this action has filed a *pro se* motion to dismiss his case because he (the defendant) has “concluded that there is not sufficient evidence to keep me incarcerated.”

The record reflects that this criminal action is currently pending and that the court has previously appointed attorney Theresa Johns as counsel for the defendant under the Criminal Justice Act. Accordingly, it is improper for the defendant to file *pro se* pleadings of this nature with the Clerk. If the defendant wishes to file a motion to dismiss with the court, he should communicate his desires to his attorney so that his attorney can file the motion for him.

Accordingly, for the reasons set forth above, the motion to dismiss (ECF No. 1223) is denied without prejudice.

IT IS SO ORDERED.

March 20, 2013
Columbia, South Carolina

Joseph F. Anderson, Jr.

Joseph F. Anderson, Jr.
United States District Judge